

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

CHRISTOPHER LOPEZ,

Plaintiff,

v.

TRANSPORTATION WORKERS UNION
LOCAL 234, et al.

Defendants.

CIVIL ACTION
NO. 16-05515

ORDER

AND NOW, on this 19th day of June, 2017, upon consideration of Defendants' Motions to Dismiss (ECF Nos. 11 & 12), and Plaintiff Lopez's Responses (ECF Nos. 13 & 14), it is hereby ORDERED that both Motions are GRANTED in part and DENIED in part consistent with the following:

1. SEPTA's Motion (ECF No. 12) is GRANTED with respect to Count I and Lopez's breach of contract claim is DISMISSED. SEPTA's Motion is DENIED with respect to Count III;
2. Local 234's Second Motion to Dismiss (ECF No. 11) is GRANTED with respect to Count III and Lopez's due process claim against Local 234 is DISMISSED. Local 234's Motion is DENIED with respect to Count II.
3. Local 234's Motion to Dismiss (ECF No. 8) is DENIED as moot.⁷

⁷ Local 234 filed a Motion to Dismiss on January 17, 2017. (ECF No. 8.) Lopez filed an Amended Complaint on January 24, and Local 234 filed a Second Motion to Dismiss on February 3, (ECF No. 11), obviating the need for the Court to decide the January 17 Motion.

BY THE COURT:

/s/ Gerald J. Pappert
GERALD J. PAPPERT, J.